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**Arnold
Schwarzenegger**
Governor

29 April 2010

To: See Attached Addressee List

NOTICE OF PUBLIC HEARING RESPONSE ITEMS 1 AND 2, FOR THE CENTRAL, CHERRY HILL, EMPIRE, MANZANITA, AND WEST END MINES, COLUSA COUNTY

In accordance with Central, Cherry Hill, Empire, Manzanita, and West End Mines in Colusa County 14 April 2010 Notice of Public Hearing for the Proposed Technical and Monitoring Report Order Items 1 and 2, the Prosecution Team is submitting the following response:

1. Proposed Deadline

The prosecution team proposes to complete the investigation of other potentially responsible dischargers by 30 November 2010.

2. Basis for naming Helen Holiday Foundation

The basis for naming the Helen Holiday foundation as a potentially responsible party was the 20 October 1978 mining lease between Homestake Mining Company and the Helen Holiday Foundation. That mining lease references the Cherry Hill Mine and provides two separate legal descriptions.

The 8 July 1943 agreement between J.W. Weightman (Bailey Minerals Corporation) and Clendenin J. Ryan describes the Cherry Hill Mine location which matches the second legal description given in Exhibit A of the 20 October 1978 mining lease between Homestake Mining Company and the Helen Holiday Foundation.

Additionally, in a 15 May 1975 document the estate of Helen W. Holiday, also known as Helen Harriett Weightman distributed to the Helen Holiday Foundation real property in Colusa County described as the Cherry Hill Mine, 10 ½ -acre (referred to hereafter as APN 018-200-004-000). This description matches the description given in the 20 October 1978 mining lease between Homestake Mining Company and the Helen Holiday Foundation.

Recent research indicates that while APN 018-200-004-000 is referred to as the Cherry Hill Mine, actual mining activity for the Cherry Hill Mine may have taken place on another adjacent parcel (APN 018-200-013-000) which is separate from APN 018-200-004-000. The prosecution team intends to conduct a site visit in the next 30-days to confirm the absence (or presence) of mining activities or mining waste on APN 018-110-004 (the former Helen Holiday Foundation parcel).

California Environmental Protection Agency

In addition, the Board's Prosecution Team would ask the Board to include provisions in the proposed 13267 Orders to allow the Prosecution Team to settle Discharger's obligations at the Site, which would thereby exclude the Dischargers from additional obligations under the proposed 13267 Orders.

If you have any questions concerning the above information, please contact me at (916) 464-4626 or by email at vizzo@waterboards.ca.gov

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(See attached Addressee List: next page)